

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 23-1177****September Term, 2024****EPA-88FR44468****Filed On: October 4, 2024**

Center for Biological Diversity,

Petitioner

v.

Environmental Protection Agency, et al.,

Respondents

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American Petroleum Institute, et al.,  
Intervenors  
-----Consolidated with 23-1240, 23-1243,  
23-1246, 23-1247, 23-1249**BEFORE:** Pillard, Katsas, and Childs, Circuit Judges**ORDER**

Upon consideration of the joint submission addressing proposed oral argument format, it is

**ORDERED** that the following format apply in these cases, which are scheduled for oral argument before this panel at 9:30 a.m. on Friday, November 1, 2024:

**Time Allotted****Counsel****Part I***Obligated Party*  
*Petitioners*

10 minutes

*Elizabeth B. Dawson*  
(issues common to all refiners)

5 minutes

*Jonathan G. Hardin*  
(issues specific to small refineries)

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	<u><b>Time Allotted</b></u>	<u><b>Counsel</b></u>
<b><u>Part I</u></b> <b><u>(continued)</u></b>		
<i>Environmental Petitioners</i>	8.5 minutes	<i>Carrie Apfel</i> (Clean Air Act claim raised against EPA)
	8.5 minutes	<i>Margaret Coulter</i> (Endangered Species Act claims raised against EPA, NMFS, and FWS)
<i>Respondents</i>	22.5 minutes	<i>Alexander M. Purpuro</i> (Clean Air Act and Regulatory Flexibility Act claims in Petitioners' briefs)
	7.5 minutes	<i>John Martin</i> (Endangered Species Act claim in Environmental Petitioners' brief)
<i>Biofuel Intervenors</i>	2 minutes	<i>David Lehn</i> (issues raised in Obligated Party Petitioners' briefs)
	2 minutes	<i>Ethan Shenkman</i> (issues raised in Environmental Petitioners' briefs)
<b><u>Part II</u></b>		
<i>SABR Coalition</i>	7.5 minutes	<i>Sandra P. Franco</i>
<i>Respondents</i>	7.5 minutes	<i>Alexander M. Purpuro</i>
<b><u>Part III</u></b>		
<i>Neste</i>	7.5 minutes	<i>Jeremy M. Bylund</i>
<i>Respondents</i>	7.5 minutes	<i>Alexander M. Purpuro</i>

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Argument will be conducted in the order listed. In each part, petitioners should reserve time from their allotments for rebuttal. Form 72 should be completed and submitted by October 25, 2024.

**Per Curiam**

**FOR THE COURT:**

Mark J. Langer, Clerk

BY: /s/

Scott H. Atchue

Deputy Clerk

The following forms and notices are available on the Court's [website](#):

[Notification to the Court from Attorney Intending to Present Argument \(Form 72\)](#)